

REMARKS

Entry of this Amendment and reconsideration in view of the amendments made to the claims and for the remarks made herein are respectfully requested.

Claims 1-3, 6-10, 12, 16 and 18-23 are pending and stand rejected.

Claims 1, 10, 16 and 22 have been amended. Claims 24 and 25 have been added.

Claims 1-3, 6-10, 12-16 and 18-22 stand rejected under 35 USC 102(e) as being anticipated by Inoue (USP no. 6,496,896).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims. However, in the interest of advancing the prosecution of this matter, independent claims 1 and 22 have been amended to recite that an indication is further stored indicating the interval in which the information is valid. No new matter has been added. Support for the amendment may be found on at least page 5, line 25-page 6, line 2 and Figure 3.

Inoue, as understood by applicant, describes a transmission and recording apparatus and a recording method by which data can be communicated between different apparatus over a single data bus wherein data can be transmitted and /or received periodically and a second method wherein data can be transmitted and/or received asynchronously. (See Abstract). The Office Action refers Fig. 8A-8F of Inoue to illustrate a carrousel transmission method, and to the fact that Inoue discloses a recorder/player 1 in Figure 1.

However, contrary to the statements found in the Office Action, Inoue fails to describe including an indication for the interval in which they are valid,” as is described in the claims. Inoue is silent with regard to recording an indication for the interval in which they are the stored information is valid.

The Office Action, more specifically, refers to Fig. 8C and col. 18, lines 46-67 (see page 3, instant Office Action) as being comparable to the claim element “the receiver being arranged to store . . . received file data and directory data under a predetermined grouping formulation . . . with said predetermined grouping formulation . . . being at the module level.” However, applicant submits that Figure 8C refers to the transmitter organizing the information for transmittal and not a receiver storing received information

on a module level as is recited in claim 1. Applicant believes that the reference to Figure 8C is to show that the information is organized at the module level for transmission and that the receiver stores the received information, as is transmitted. Hence, this provides further evidence that Inoue fails to disclose including an indication for the interval in which they are valid.

A claim is anticipated only if each and every element recited therein is expressly or inherently described in a single prior art reference. Inoue cannot be said to anticipate the present invention, because Inoue fails to disclose each and every element recited.

Accordingly, applicant submits that the reason for the rejection of the claim has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

With regard to claim 22, this claim recites a system for implementing the method recited in claim 1 and was rejected for the same reason used in rejecting claim 1. Thus, the remarks made in response to the rejection of claim 1 are also applicable in response to the rejection of claim 22. For the amendment made to claim 22, which is similar to that made to claim 1, and for the remarks made with regard to the rejection of claim 1, which are reasserted, as if in full, herein, in response to the rejection of claim 22, applicant submits that the reason for rejecting this claim has been overcome and the rejection can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

With regard to the remaining rejected claims, these claims ultimately depend from the independent claims 1 and 22, which have been shown to contain subject matter not disclosed by, and allowable over, the reference cited. Accordingly, these claims are also allowable by virtue of their dependency from an allowable base claim.

Applicant respectfully requests withdrawal of the rejection and allowance of the claims.

Claim 23 stands rejected under 35 USC 103(a) as being unpatentable over Inoue in view of the Applicant's admitted prior art and further stands rejected as being unpatentable over Inoue in view of Ferguson (USP no. 6,052,555).

Applicant respectfully disagrees with, and explicitly traverses, the reason for rejecting the claims.

Claim 23 depends from claim 22, which has been shown to include subject matter not disclosed by the primary reference (Inoue). Hence, the combination of Inoue and the admitted prior art or Ferguson fails to recite the subject matter claimed in claim 22, from which claim 23 depends, as admitted prior art or Ferguson provides no teaching to correct this deficiency.

Accordingly, the invention recited in claim 23 is not rendered obvious by the teachings of the cited references, as the device resulting from the combination of the cited reference fails to recite all the elements claimed in independent claim 22 and, consequently, dependent claim 23.

Having shown that the combination of the cited references fails to disclose all the elements claimed, applicant submits the reason for the rejection has been overcome and can no longer be sustained. Applicant respectfully requests withdrawal of the rejection and allowance of the claim.

New claims 24 and 25 have been added. No new matter has been added. Support for claims 24 and 25 may be found in claims 10 and 16.

Although the last Office Action was made final, this amendment should be entered. Claims 1 and 22 have each been amended to include the element that an indication is stored to indicate an interval of validity. No matter has been added to the claims that would require comparison with the prior art or any further review. Accordingly, pursuant to MPEP 714.13, applicant's amendments should only require a cursory review by the examiner. The amendment therefore should be entered without requiring a showing under 37 CFR 1.116(b).

For all the foregoing reasons, it is respectfully submitted that all the present claims are patentable in view of the cited references. A Notice of Allowance is respectfully requested.

Respectfully submitted,

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Date: June 6, 2005

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